2022 Central Valley Flood Protection Plan Update

Tribal Informational Meeting

March 2, 2021

CALIFORNIA DEPARTMENT OF WATER RESOURCES

CENTRAL VALLEY FLOOD PROTECTION BOARD

Agenda

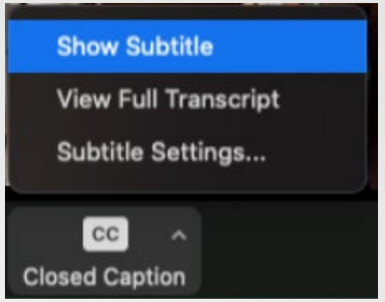
Time	Topic	Presenters
2:30 pm	**Welcome, Opening Remarks**	• Anecita Agustinez, DWR Tribal Policy Advisor • Steve Rothert, DWR Division Manager
2:40 pm	**Introductions**	
2:50 pm	**2022 CVFPP Update**	• Jason Sidley, DWR • Romain Maendly, DWR • Lori Clamurro-Chew, DWR
3:30 pm	**Statement of Administrative Policy on Native American Ancestral Lands**	• Leslie Gallagher, CVFPB Executive Officer • Andrea Buckley, CVFPB
3:50 pm	**Tribal Engagement**	• Lori Price, DWR
4:00 pm	**Open Discussion**	
4:30 pm	**Adjourn**	

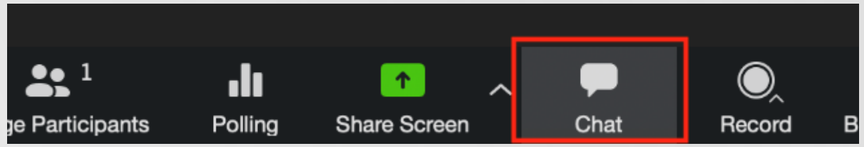
Welcome

- Anecita Agustinez, DWR Tribal Policy Advisor
- Steve Rothert, DWR Division Manager

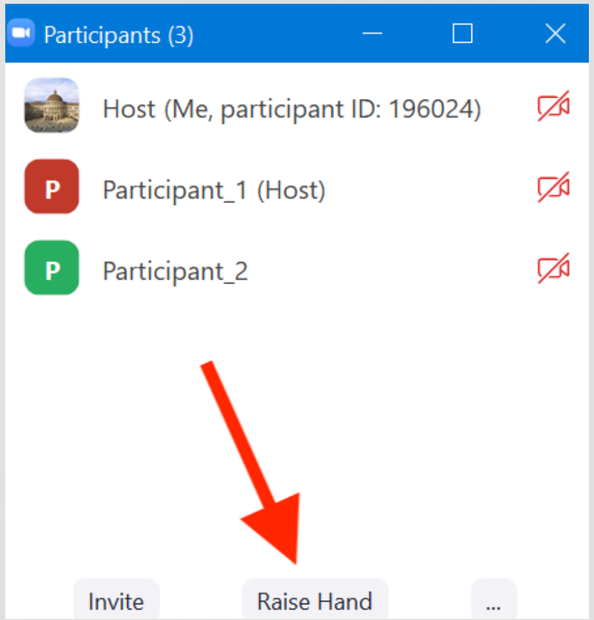
Meeting Format and Webinar Guidance

- Meeting will be recorded
- Live captioning is available





- Two ways to ask questions/make comment:
  1. Chat function
  2. Raise hand and speak
- Questions/discussion throughout meeting
- Meeting notes/presentation will be shared



Tribes in the Sacramento and SJ Basins

- Amah Mutsun Tribal Band
- Berry Creek Rancheria of Maidu Indians
- Big Sandy Rancheria of Western Mono Indians
- Big Valley Rancheria of Pomo Indians
- Buena Vista Rancheria of Me-Wuk Indians
- Calaveras Band of Mi-Wuk Indians
- CA Valley Miwok Tribe (AKA Sheep Rancheria of Me-Wuk Indians of CA)
- CA Valley Miwok Tribe
- Chicken Ranch Rancheria of Me-Wuk Indians
- Cold Springs Rancheria of Mono Indians
- Cachil Dehe Band of Wintun Indians of the Colusa Indian Community
- Colfax-Todds Valley Consolidated Tribe
- Cortina Rancheria-Kletsel Dehe Band of Wintun Indians
- Dumna Wo-Wah Tribal Government
- Dunlap Band of Mono Indians
- Elem Indian Colony Pomo Tribe
- Estom Yumeka Maidu Tribe of the Enterprise Rancheria
- Greenville Rancheria of Maidu Indians
- Grindstone Rancheria of Wintun-Wailaki
- Guidiville Indian Rancheria
- Habematolel Pomo of Upper Lake
- Hoopa Valley Tribe
- Ione Band of Miwok Indians
- Karuk Tribe
- Kings River Choinumni Farm Tribe
- Koi Nation of Northern CA
- KonKow Valley Band of Maidu
- Mechoopda Indian Tribe
- Middletown Rancheria
- Middletown Rancheria of Pomo Indians
- Mishewal-Wappo Tribe of Alexander Valley
- Mooretown Rancheria of Maidu Indians
- Nashville Enterprise Miwok-Maidu-Nishinam Tribe
- North Fork Mono Tribe
- North Fork Rancheria of Mono Indians
- North Valley Yokuts Tribe
- Paskenta Band of Nomlaki Indians
- Picayune Rancheria of Chukchansi Indians
- Pinoleville Pomo Nation
- Redding Rancheria
- Robinson Rancheria of Pomo Indians
- Santa Rosa Rancheria Tachi Yokut Tribe
- Scotts Valley Band of Pomo
- Shasta Indian Nation
- Shasta Nation
- Shingle Springs Band of Miwok Indians
- Southern Sierra Miwuk Nation
- Pakan'yani Maidu of Strawberry Valley Rancheria
- Susanville Indian Rancheria
- Table Mountain Rancheria
- The Confederated Villages of Lisjan
- Traditional Choinumni Tribe
- Tsi Akim Maidu
- Tsnungwe Council
- Tule River Indian Tribe
- Tuolumne Band of Me-Wuk Indians
- United Auburn Indian Community of the Auburn Rancheria
- Washoe Tribe of Nevada and California
- Wilton Rancheria
- Winnemem Wintu Tribe
- Wintu Tribe of Northern CA
- Wuksache Indian Tribe/Eshom Valley Band
- Yocha Dehe Wintun Nation
- Yurok Tribe

Introductions – DWR Representatives

CVFPP Leads

Mary Jimenez

Jason Sidley

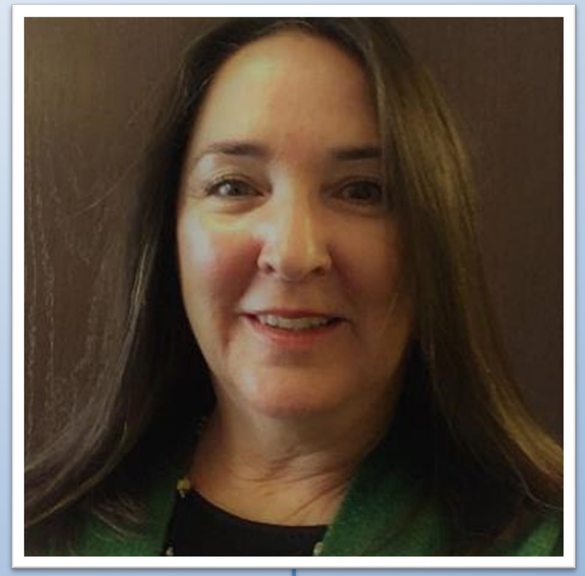
Lori Clamurro-Chew

Romain Maendly

Introductions – DWR Representatives

Tribal & CEQA Leads

Lori Price



Kelly Briggs

Introductions – CVFPB Representatives

CVFPP Leads

Andrea Buckley

Ruth Darling

Jennifer Stewart

OVERVIEW
2022 CVFPP UPDATE

Central Valley Flood Management System

State Plan of Flood Control (SPFC) Key Elements

- 1,600 miles of State-federal levees (380 miles in the Delta)
- Extensive system of bypasses & floodways
- Several areas of DEEP floodplains (over 20+ feet)
- 2 completely different river basins, each w/ over 5 major rivers
- Major urban centers, small communities, rural / agricultural areas

Source: National Geographic Magazine, Oct. 2014: Used with permission.

Central Valley Flood Risks

What is at risk? A flood in the Central Valley would have significant impact

Commerce

The Central Valley produces 25% of the nation's food, including 40% of the nation's fruits, nuts, and vegetables*

Infrastructure

Approximately $80B of infrastructure and assets are at risk

Public Safety

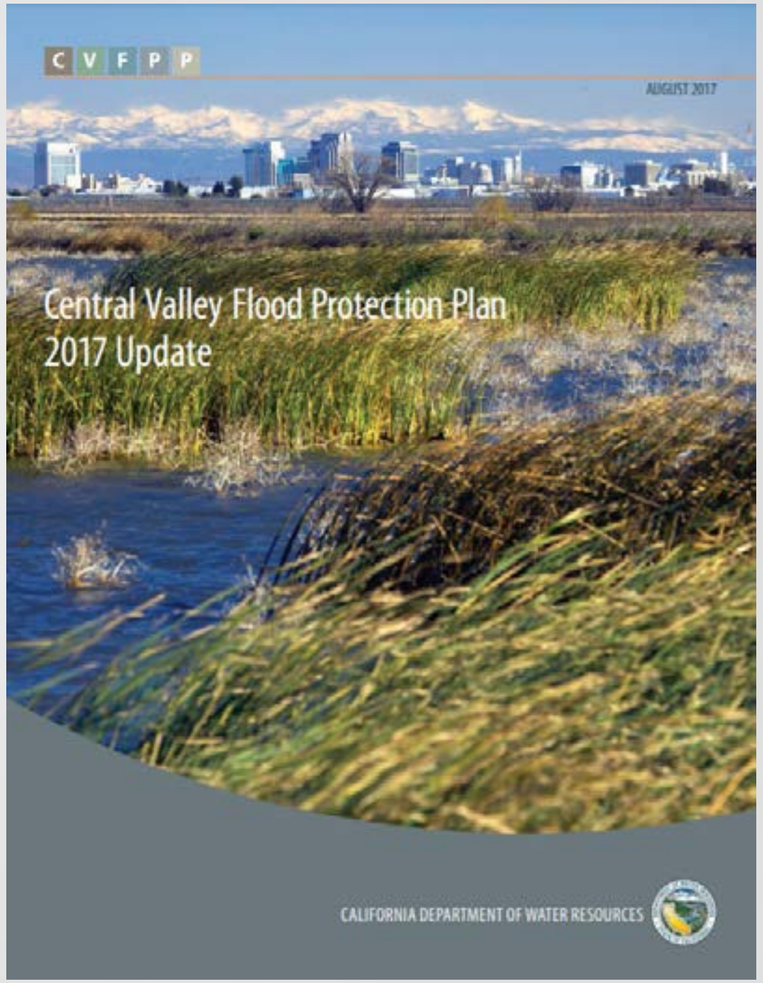
Approximately 1.3 million Californians live and work in the floodplains of the Central Valley.**

Water Supply

The Central Valley infrastructure providing flood protection also assists in conveying water supply to millions of other Californians.

Central Valley Flood Protection Plan Overview

- ✓ Central Valley Flood Protection Act of 2008 directed DWR to develop, and CVFPB to adopt, the CVFPP in 2012
- ✓ Updated on 5-year cycles in years ending in 2 and 7.
- ✓ A strategic, long-range plan that describes a programmatic vision for flood system improvements
- ✓ CVFPP is descriptive, not decisional; it is not a funding or permitting decision for specific projects.



CVFPP Goals

Primary Goal: **Improve Flood Risk Management**	Reduce the chance of flooding, and damages once floods occur, and improve public safety, preparedness and emergency response

Supporting Goals

Improve Operations & Maintenance

Promote Ecosystem Functions

Improve Institutional Support

Promote Multi-Benefit Projects

Compatible Responsibilities

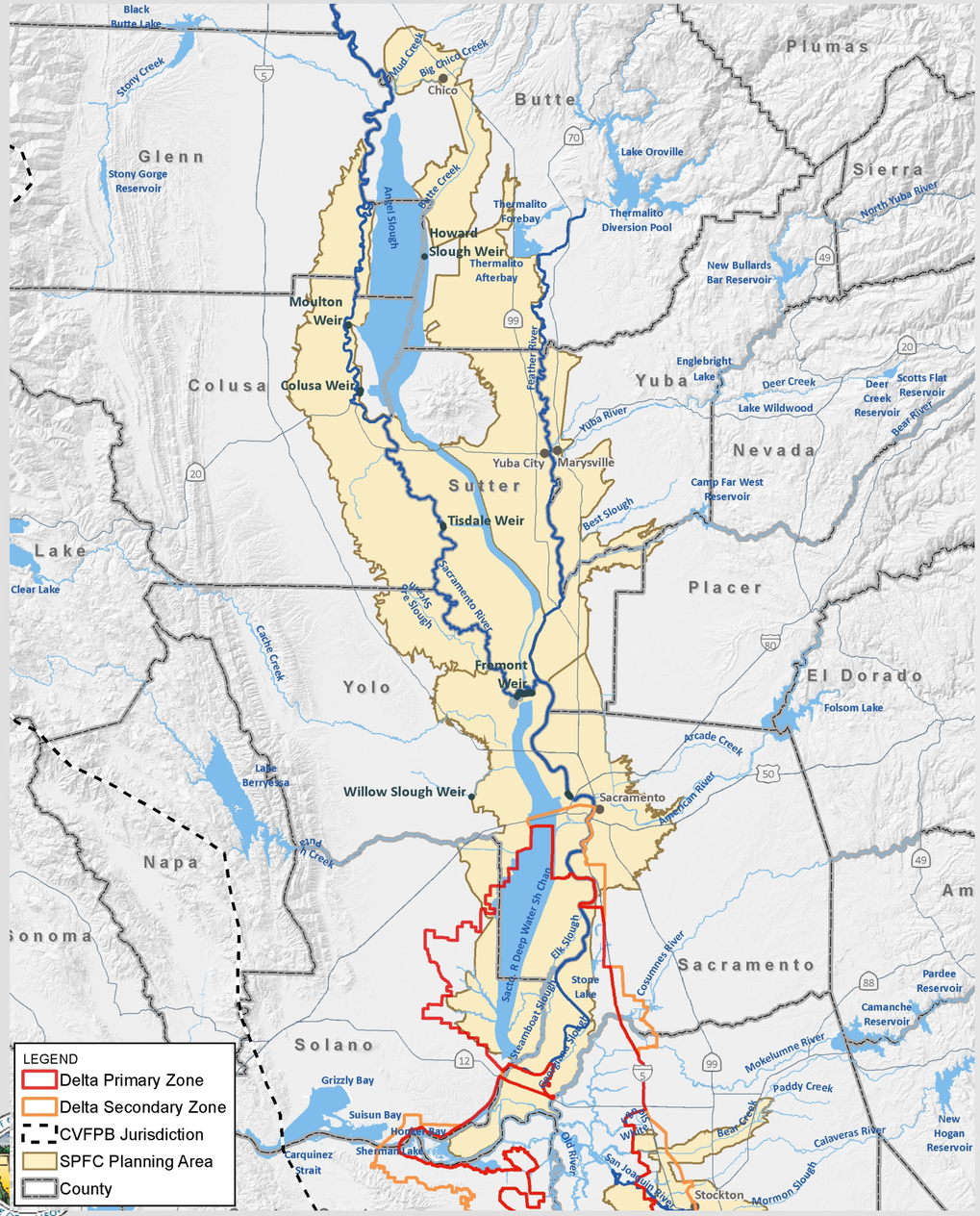
DWR

- ✓ Prepares and works towards implementation of the CVFPP
- ✓ Provides technical assistance
- ✓ Administers financial assistance programs
- ✓ Operates & maintains part of SPFC

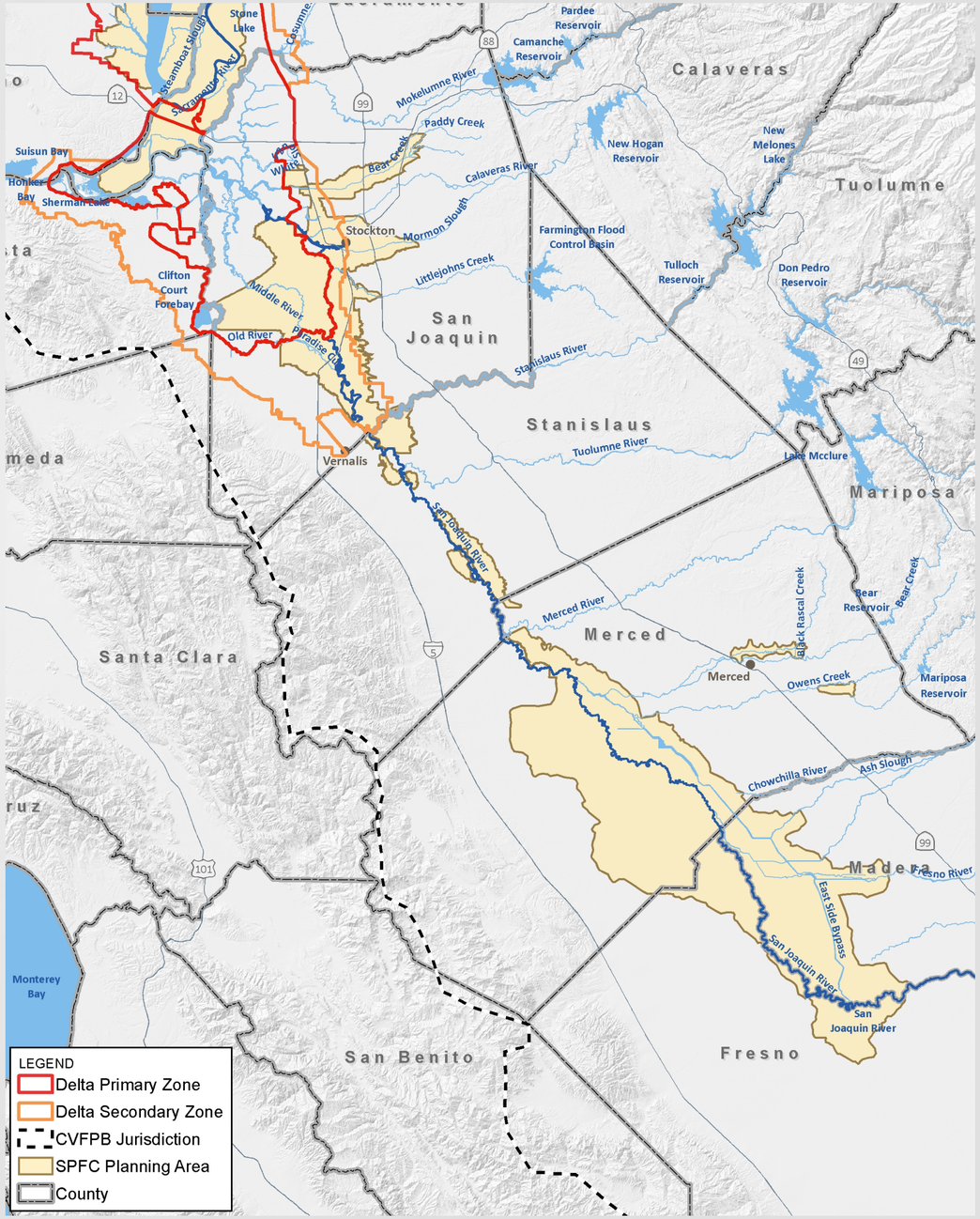
CVFPB

- ✓ Adopts and works towards implementation of the CVFPP
- ✓ Non-federal sponsor for SPFC facilities
- ✓ Administers encroachment permits
- ✓ Provides a public forum for stakeholder engagement

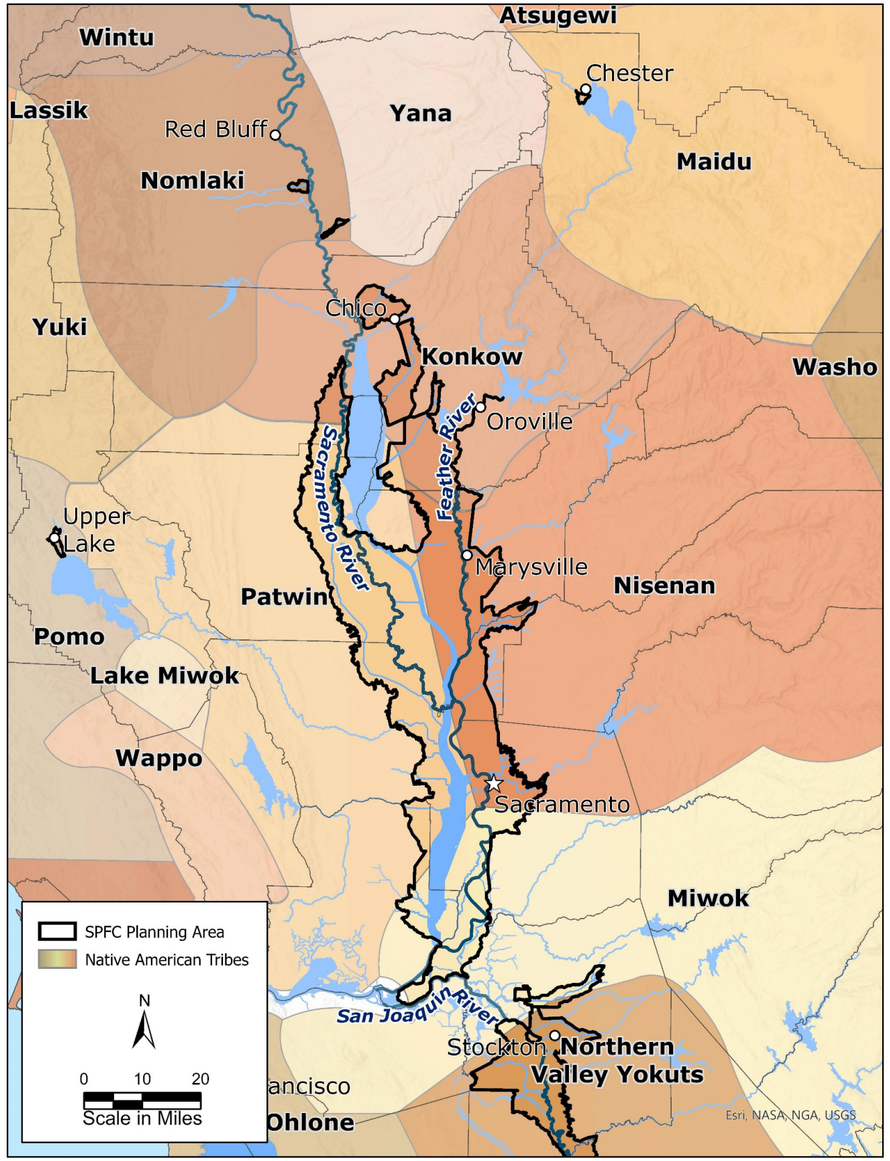
Sacramento Basin



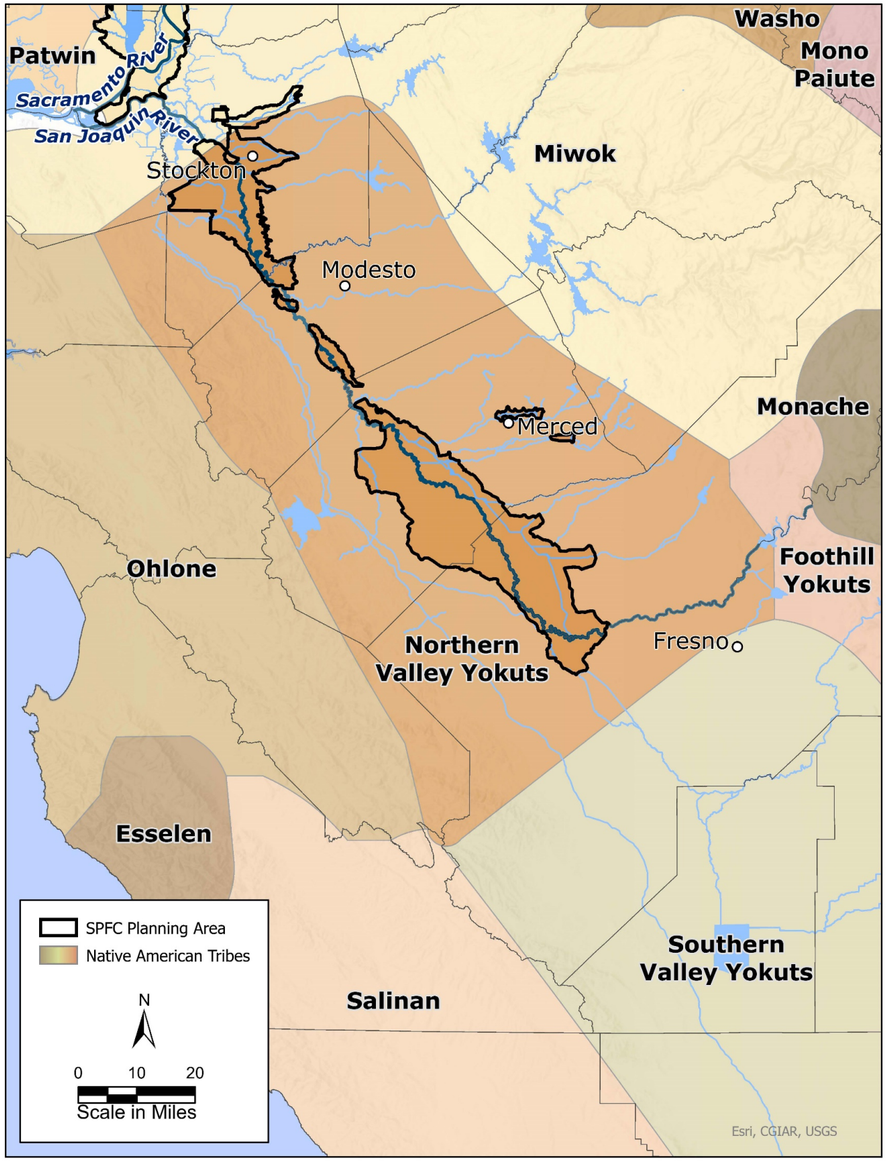
San Joaquin Basin



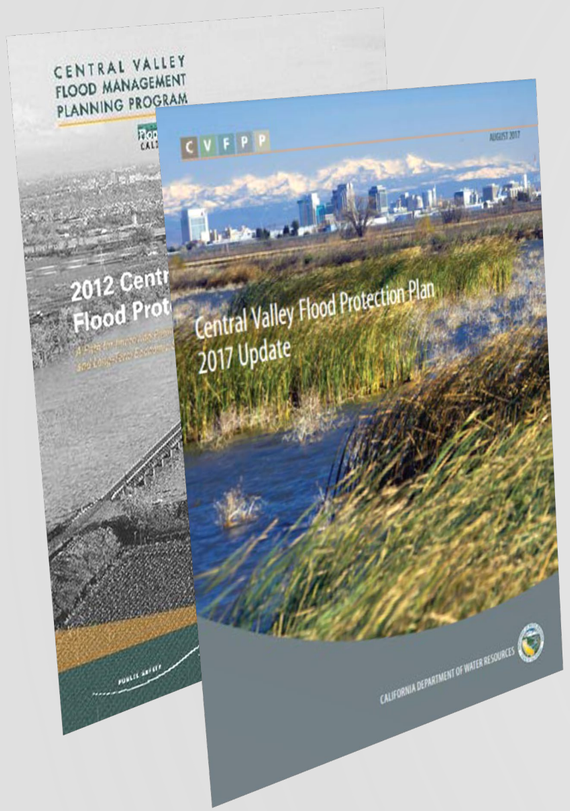
Sacramento Basin



San Joaquin Basin



2017 CVFPP Update



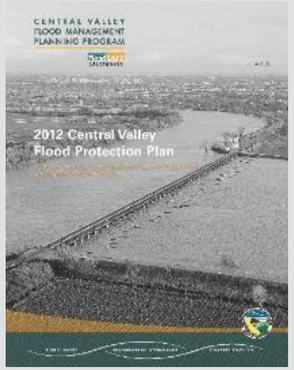
Recommended investments, policies, and performed technical analyses to support comprehensive flood risk management actions locally, regionally, and systemwide

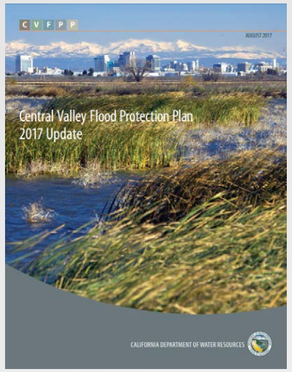
Investments Over 30 Years

CVFPP $17 to 21 billion

Major 8 Policy Issues

Preparing the 2022 CVFPP Update





2022 CVFPP Update

2012 CVFPP

- Introduced the State Systemwide Investment Approach (SSIA); identified goals and strategies to implement the CVFPP

2017 CVFPP Update

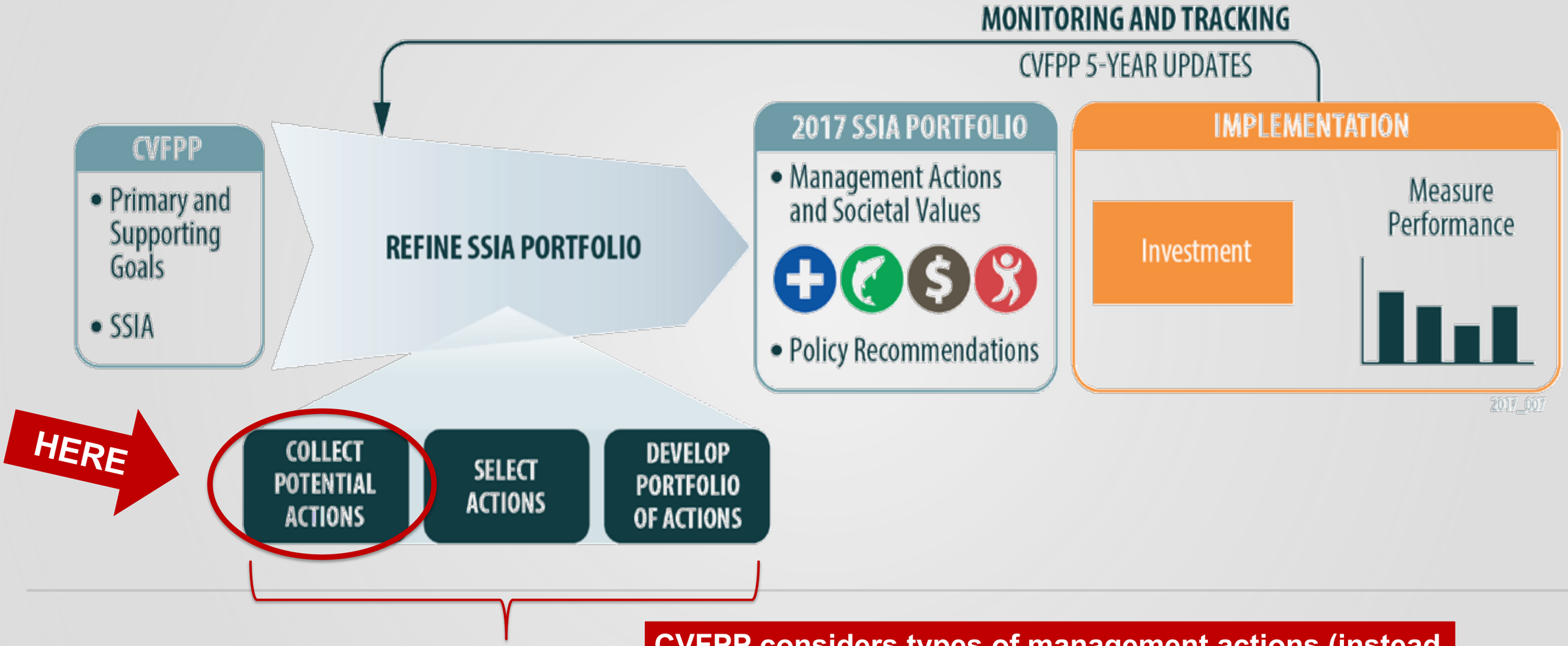
- Refined SSIA
- Flood Policy Issues
- Foundational Themes:
  - Integration with broader water resources objectives (multi-benefit)
  - Need for sustainable funding

2022 CVFPP Update

Foundational Themes:

- Climate resilience
- Report project implementation accomplishments and outcomes (performance tracking)
- Alignment with other State efforts.

A Programmatic Approach is Used



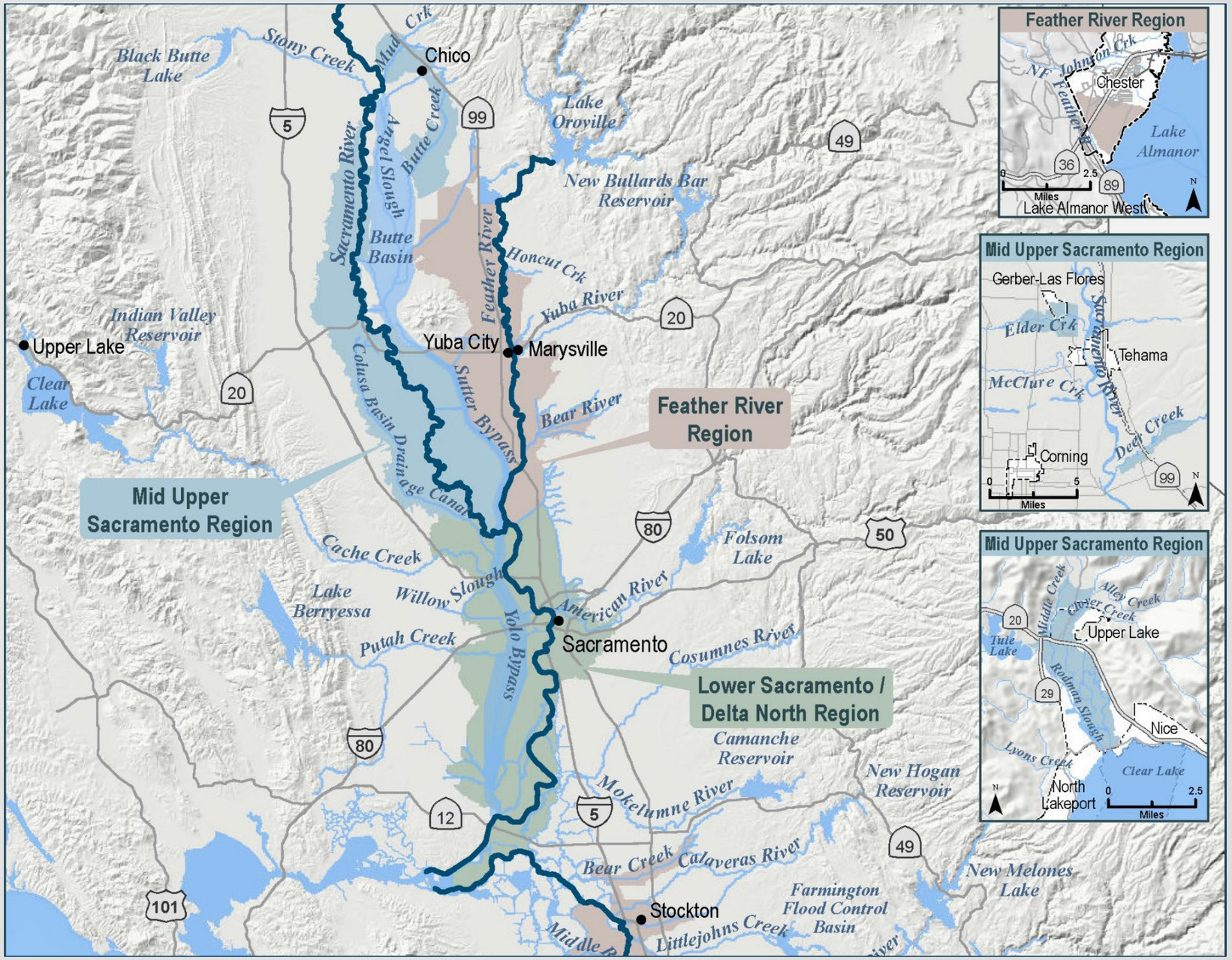
CVFPP considers types of management actions (instead of individual projects) and is covered by a programmatic Environmental Impact Report

CALIFORNIA DEPARTMENT OF
WATER RESOURCES

Regions Inform Programmatic Approach with Local Perspectives and Projects

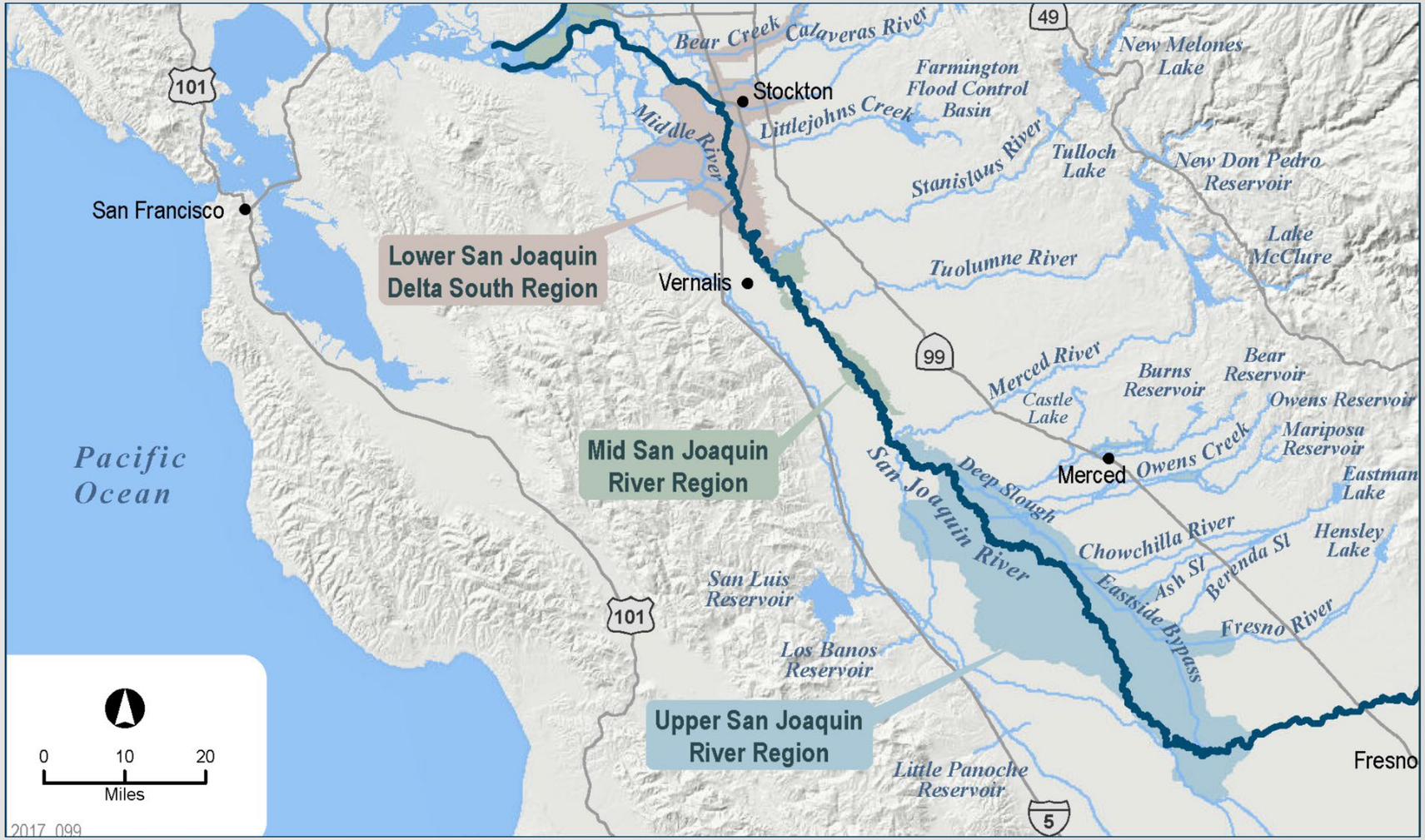
- Six regions throughout Central Valley created to support the CVFPP
- Regions made up of agencies with local flood control responsibilities or interests
- Effective way to connect to activities in specific areas

3 Flood Management Planning Regions in the Sacramento Basin



CALIFORNIA DEPARTMENT OF WATER RESOURCES

3 Flood Management Planning Regions in the San Joaquin Basin



CALIFORNIA DEPARTMENT OF WATER RESOURCES

CENTRAL VALLEY FLOOD PROTECTION BOARD

2022 CVFPP Update | Plan Development Milestones

Draft – Feb. 2021

	2021				2022			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
CVFPP			CVFPP Working Draft (Aug)		CVFPP Public Draft (Jan)		Final 2022 CVFPP Update (Sep)	
CVFPP CEQA					Draft CEQA Doc (Jan)		Final CEQA Doc (Sep)	

Components of the CVFPP

Technical Studies and Analyses:

- Flood Exposure & Risk Reduction
- **Climate Change Analyses**
- **Performance Tracking**

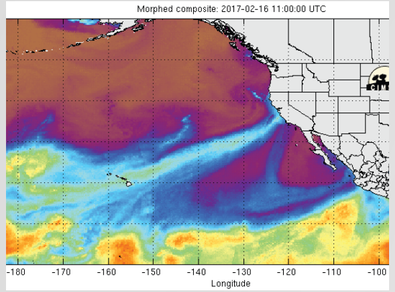
Actions and Proposed Investments:

- State-led Investment Refinement
- Locally-led Investment Refinement
- Implementation Progress and Accomplishments

Strategies and Policies:

- Conservation Strategy
- Investment Strategy
- Policy Recommendations
- **Alignment with State Programs**

Key Themes Emphasized for 2022 Update



- ✓ **Innovation** through Climate Change Resilience and Adaptation
- ✓ **Accountability** by Tracking Performance
- ✓ **Collaboration** through Alignment with Other State Efforts

STATE OF CALIFORNIA
WATER RESILIENCE
PORTFOLIO INITIATIVE

CALIFORNIA DEPARTMENT OF
WATER RESOURCES

QUESTIONS?

✓ **Innovation** through Climate Change Resilience and Adaptation

What's new for 2022?

Development of Foundational Theme: Climate Resilience

Determine Range of Climate Change Uncertainty

Vulnerability & Thresholds Assessment

Adaptation Strategy Analysis (Decision Scaling)

CALIFORNIA DEPARTMENT OF WATER RESOURCES

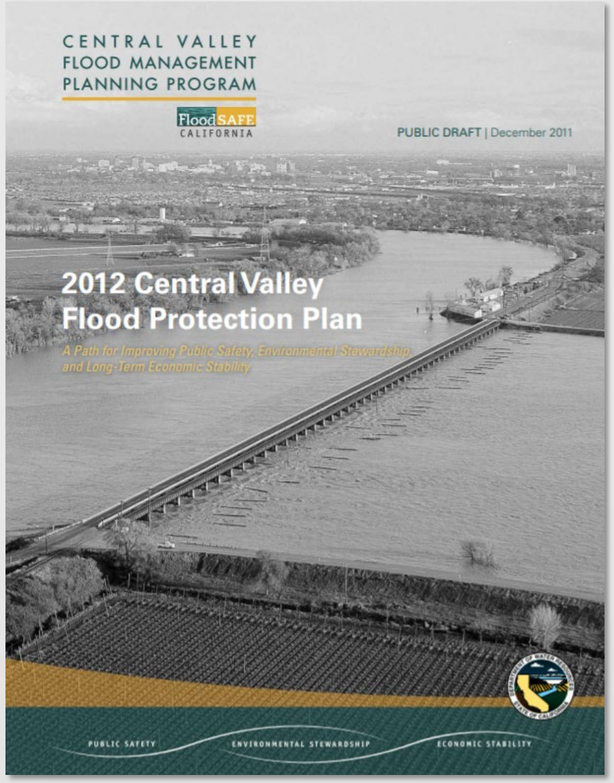
✓ **Innovation** through Climate Change Resilience and Adaptation

Analysis:

Qualitative – What investments could accommodate a broader range of climate change scenarios?

Approach:

Threshold Analysis on Single Pilot Watershed



State Policy:

CA Water Code – CVFPP to provide description of probable impacts of projected climate change.

CALIFORNIA DEPARTMENT OF
WATER RESOURCES

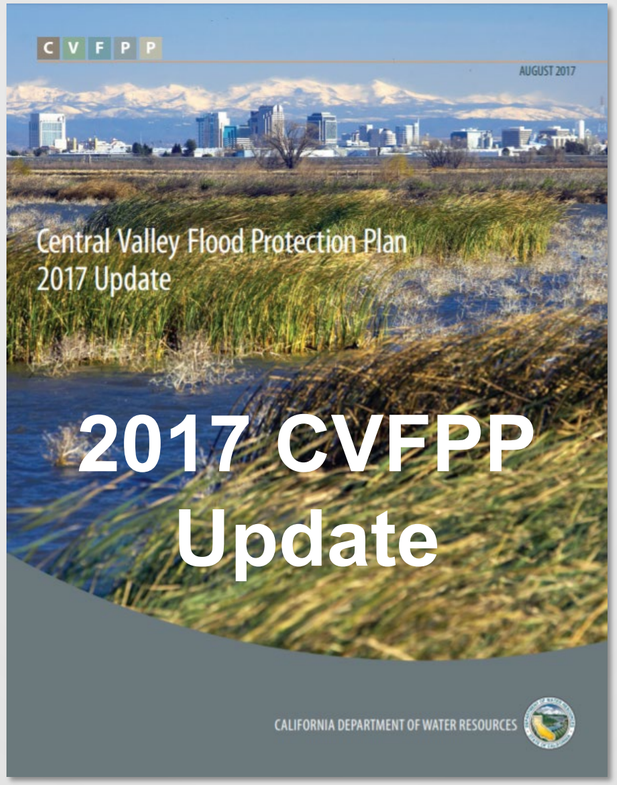
✓ **Innovation** through Climate Change Resilience and Adaptation

Analysis:

Quantitative – What future changes in unregulated flows can be expected for the Central Valley? How does it affect system performance?

Approach:

Median Downscaling Projection Systemwide

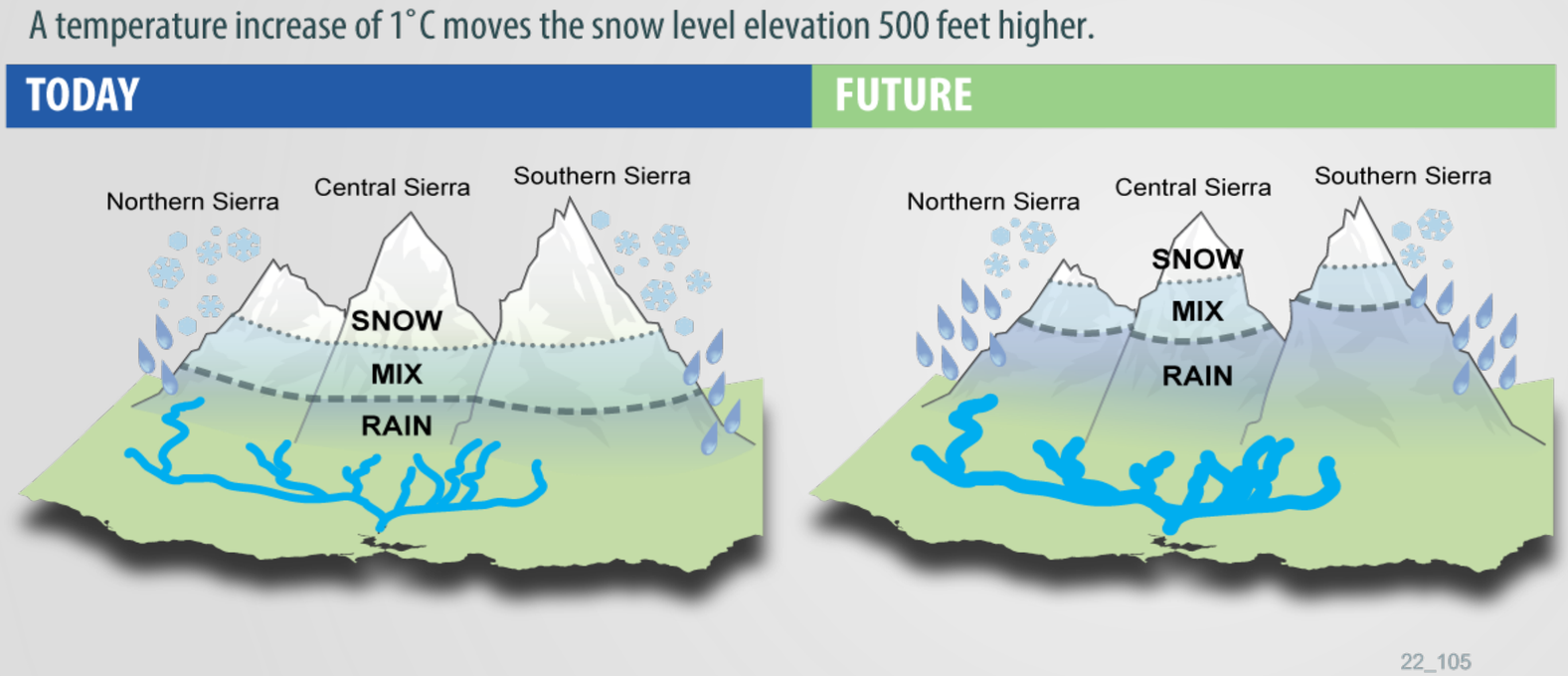


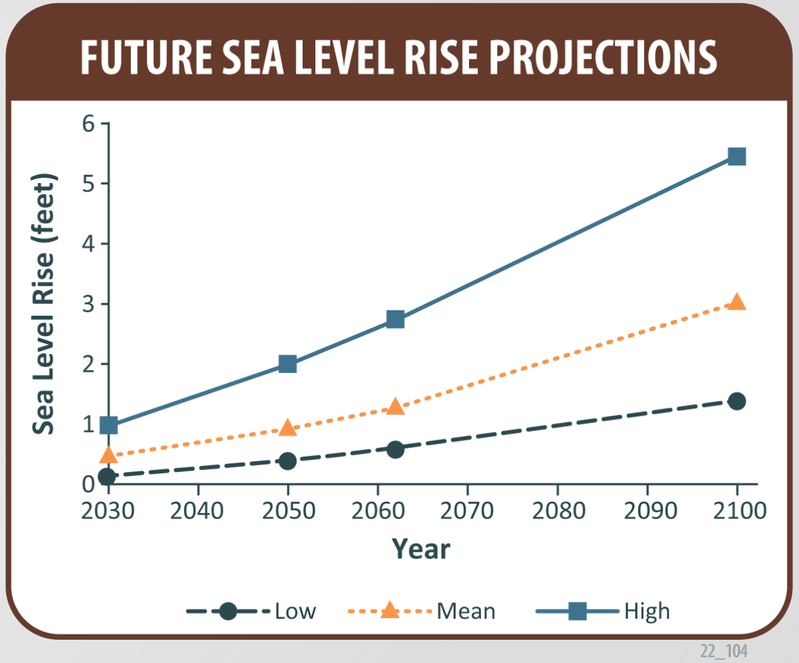
State Policy:

EO B-30-15 & AB1482 – State agencies to account for climate change in project planning and investment decisions.

CALIFORNIA DEPARTMENT OF
WATER RESOURCES

✓ **Innovation** through Climate Change Resilience and Adaptation





✓ **Innovation** through Climate Change Resilience and Adaptation

Analysis:

What future changes in unregulated flows can be expected for each watershed in the Central Valley? How does it affect system performance?

Approach:

Low, Median, & High Downscaling Projections Systemwide

\+ Decision-Scaling Pilot

Watershed Studies

2022 CVFPP Update

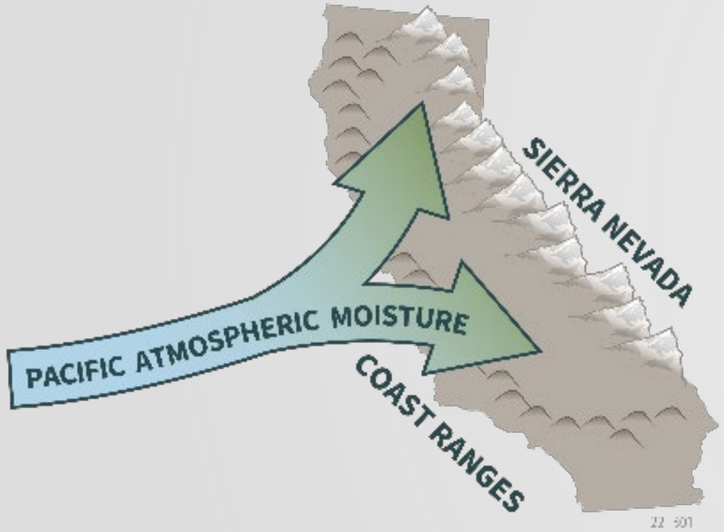
State Policy:

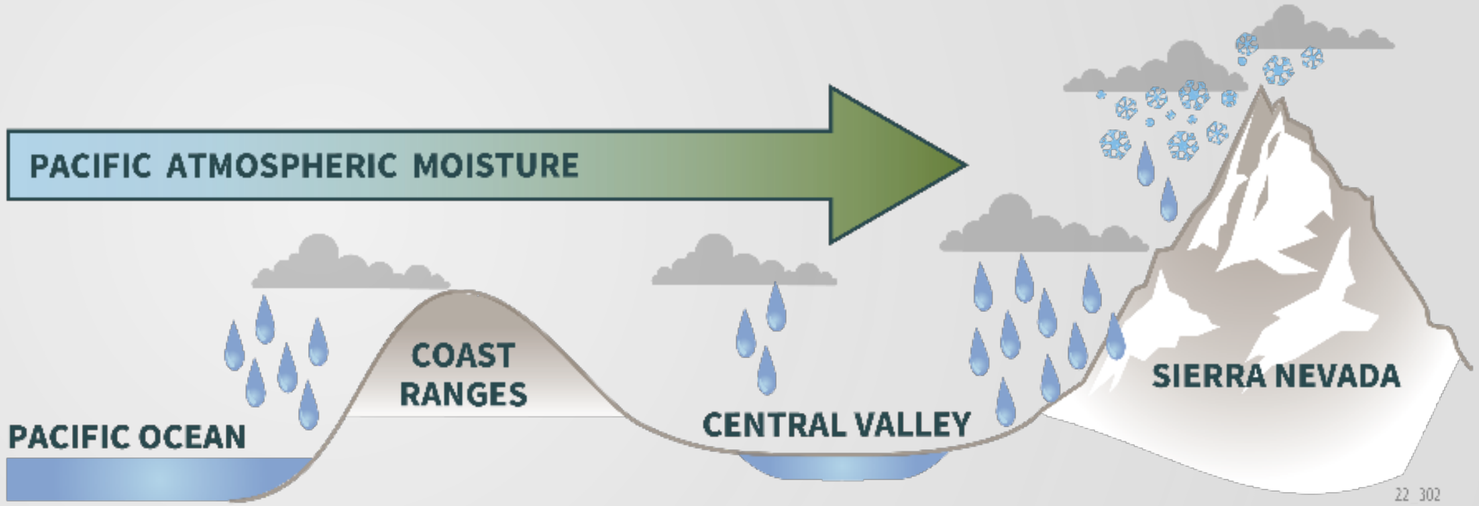
EO N-10-19: Water Resilience Portfolio – Develop a flood management strategy for the San Joaquin River and its tributaries, and support regional decision making with watershed scale vulnerability and adaptation assessments.

CALIFORNIA DEPARTMENT OF WATER RESOURCES

✓ **Innovation** through Climate Change Resilience and Adaptation

Atmospheric Rivers are the Primary Source of Major Flood Events in the Central Valley





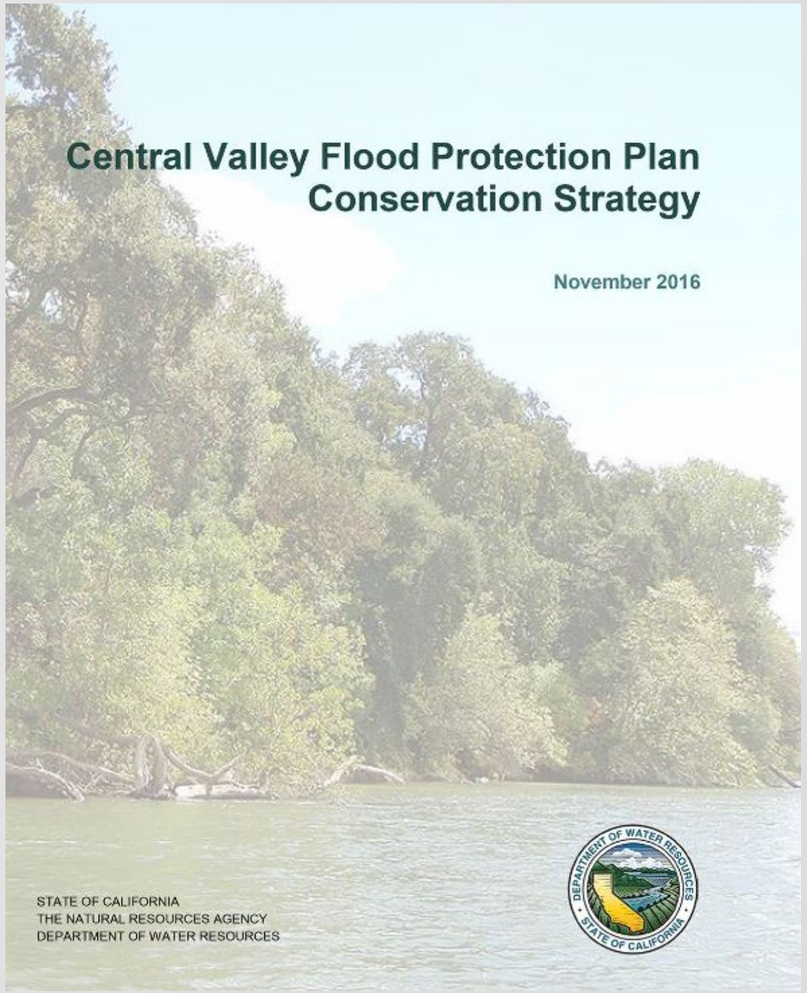
In a warmer climate, atmospheric rivers will become more intense as they become wetter, longer, and wider

✓ **Accountability** by Tracking Performance

- Taxpayers want to see results and **outcomes** of their investments on the landscape
- State is developing flood risk management and ecosystem restoration metrics that will **track real outcomes**
- **Improving** return on investment for State taxpayers and providing accountability

✓ **Accountability** by Tracking Performance

- Conservation Strategy supports the CVFPP and goal of promoting ecosystem function
- Provides strategies and guidance for development of multi-benefit projects
- Develops tracking metrics for ecosystem functions



CALIFORNIA DEPARTMENT OF
WATER RESOURCES

✓ **Accountability** by Tracking Performance

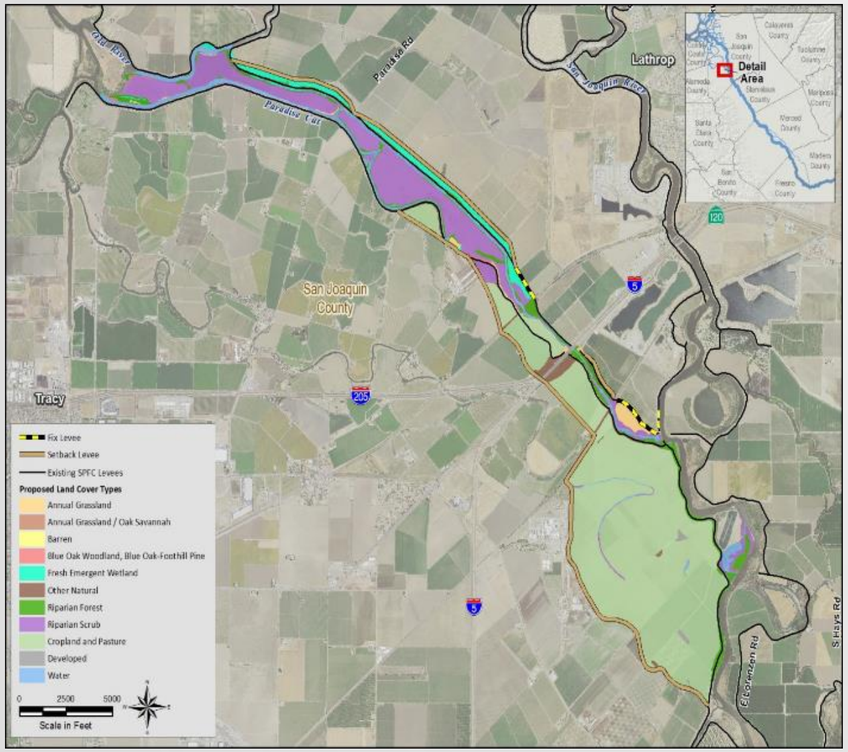
Flood Performance Tracking System and Conservation Strategy Measurable Objectives

CALIFORNIA DEPARTMENT OF
WATER RESOURCES

✓ **Accountability** by Tracking Performance

Contributions to CS Measurable Objectives from Projects

Paradise Cut Bypass Expansion

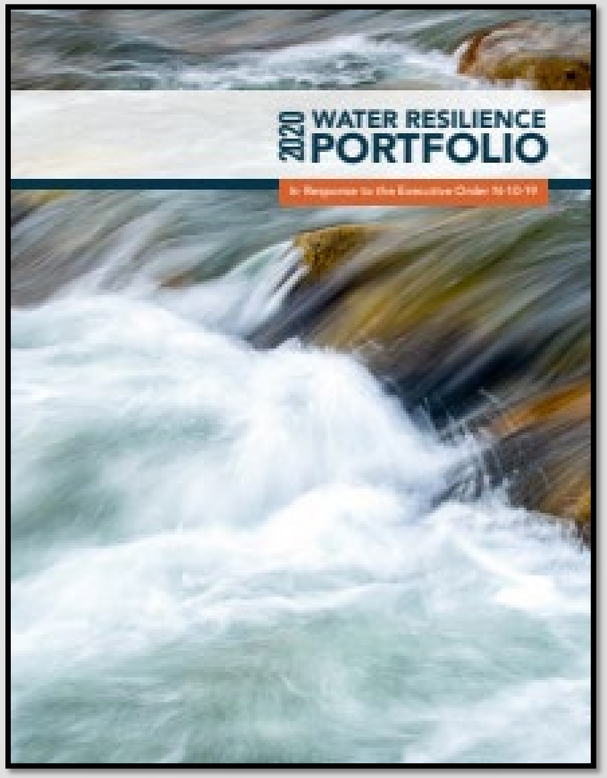


Objective	Metric	Value
Floodplain Inundation	Inundated floodplain	0
Riverine geomorphic processes	Natural bank (total length (miles)	2
	River Meander Potential - total amount (acres)	519
SRA Cover	Natural Bank (miles)	0
Riparian	Habitat amount (acres)	563
Marsh (and other wetlands)	Habitat amount (acres)	169
Fish Passage Barriers	Fish Passage Barriers	0
Invasive Plants	Invasive Plant-Dominated Vegetation- total area reduced (acres)	39

CALIFORNIA DEPARTMENT OF
WATER RESOURCES

✓ **Collaboration** through Alignment with Other State Efforts

- 2022 Update will align with other State efforts:
  - Governor Newsom's Water Resilience Portfolio
  - California Water Plan Update 2023
  - The Delta Plan
  - Sustainable Groundwater Management Act Implementation (Bulletin 118)
  - H2F Initiative – Flood Safety Partnership



DISCUSSION

- Which components of the 2022 CVFPP Update are you most interested in?
- Which components of the CVFPP have the potential to impact your Tribe and Tribal lands?

STATEMENT OF ADMINISTRATIVE POLICY ON NATIVE AMERICAN ANCESTRAL LANDS

Welcome

- Leslie Gallagher, CVFPB Executive Officer
- Andrea Buckley, CVFPB Environmental Services and Land Management Branch Manager

Board Members

William Edgar,
President

Jane Dolan, Vice
President and Secretary

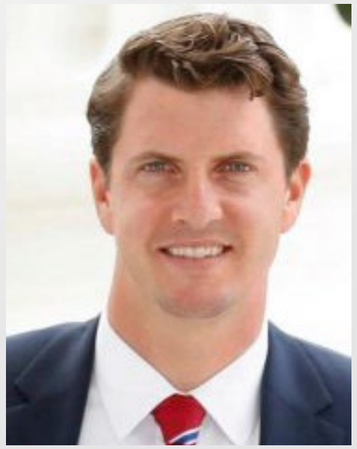
Mike Villines,
Board Member

Tim Ramirez,
Board Member

Joseph Countryman,
Board Member

Brian J. Johnson,
Board Member

Mary Jane Griego, Board
Member

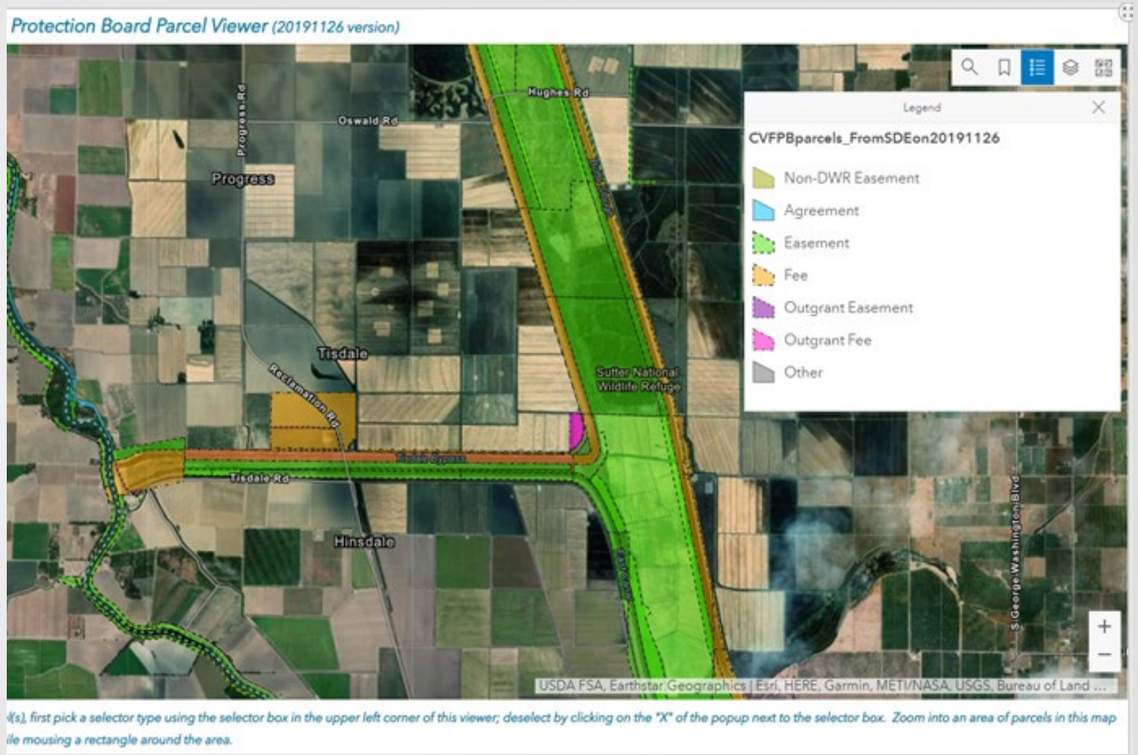


Senator Henry Stern,
Board Member

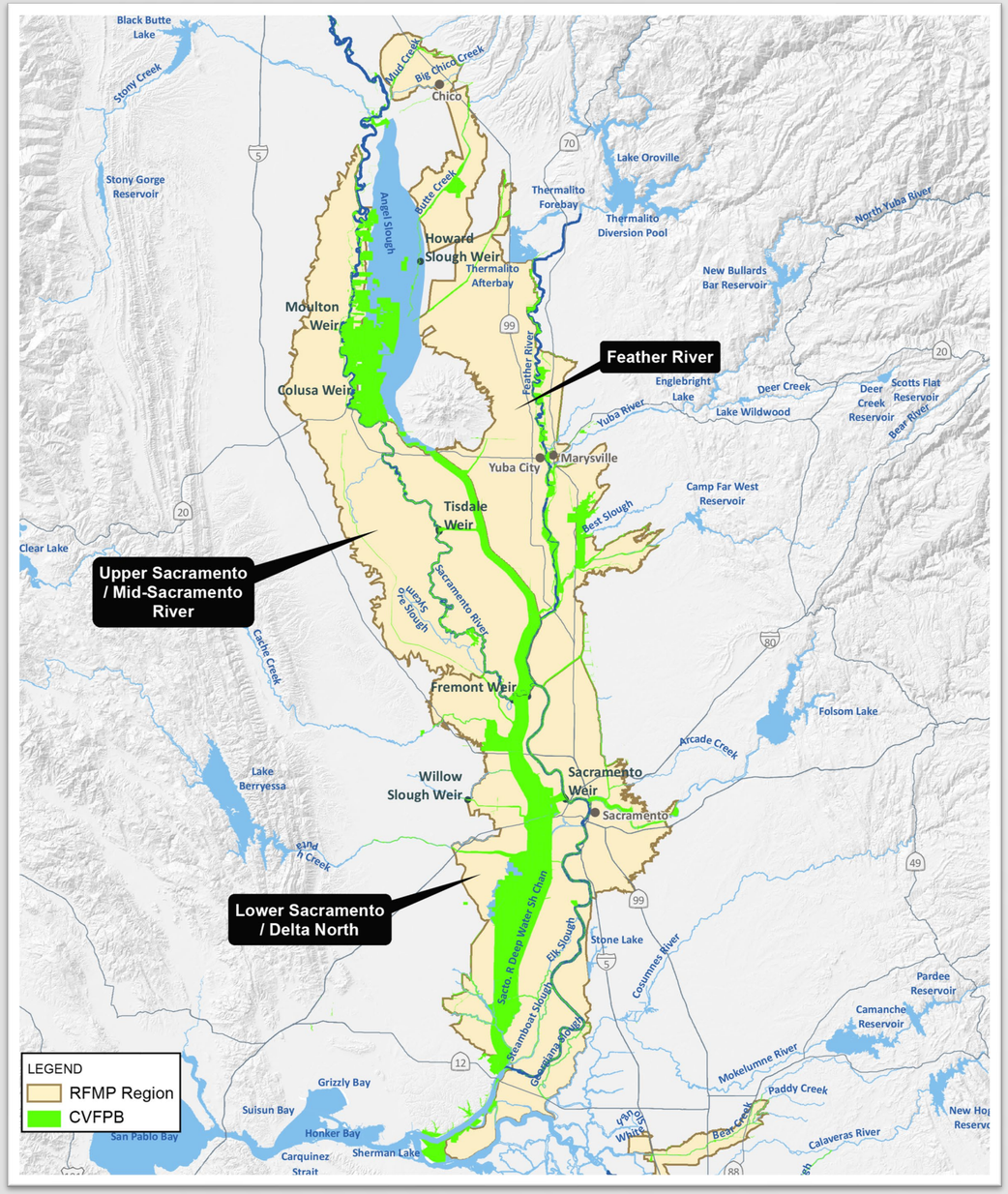
Assemblyman Eduardo Garcia,
Board Member

Sacramento and San Joaquin Drainage District

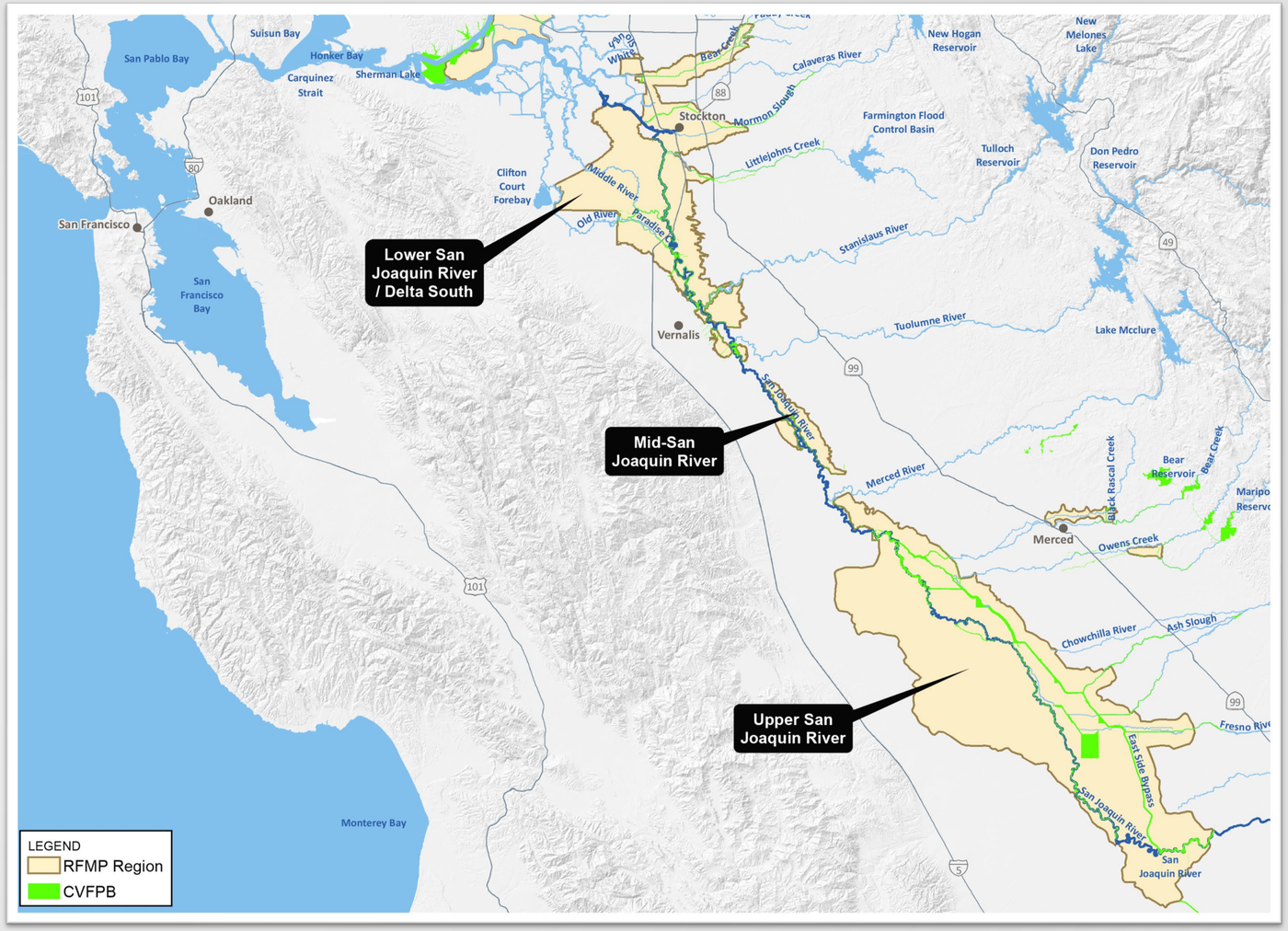
- ✓ Management and control of the SSJDD is vested in the Board.
- ✓ The Board may acquire, own, hold, use, and enjoy any and all properties necessary for the purposes of the district.
- ✓ Primary use includes flood control works, including drainage
- ✓ Additional uses include fish and wildlife enhancement and recreation



Sacramento Basin



San Joaquin Basin



CENTRAL VALLEY FLOOD PROTECTION BOARD

Statement of Administrative Policy Native American Ancestral Lands

- ✓ Signed by Governor Gavin Newsom on September 25, 2020
- ✓ 9.25.20-Native-Ancestral-Lands-Policy.pdf (ca.gov)

- ✓ Co-management of, and access to, natural lands under the ownership and control the State of California.

- ✓ Working cooperatively with California Tribes that are interested in acquiring natural lands in excess of State needs.

Statement of Administrative Policy Native American Ancestral Lands

- ✓ Support Tribal self-determination and self-government;
- ✓ Facilitate the access of California Native Americans to sacred sites and cultural resources;
- ✓ Improve the ability of California Native Americans to engage in traditional and sustenance gathering, hunting and fishing;

Statement of Administrative Policy Native American Ancestral Lands

- ✓ Partner with California Tribes on land management and stewardship utilizing Traditional Ecological Knowledges;
- ✓ Reduce fractionation of Tribal lands; and
- ✓ Provide opportunities for education, community development, economic diversification, and investment in public health, information technology and infrastructure, renewable energy, water conservation, and cultural preservation or awareness.

Statement of Administrative Policy Native American Ancestral Lands - ACTIONS

- ✓ Entering into memoranda of understanding to allow for access to or co-management of natural lands under the ownership or control of the State with California Tribes with ancestral lands located in such areas.

- ✓ When natural lands under the ownership or control of the State are in excess of State needs, working cooperatively within existing statutory and regulatory frameworks with the California Tribes that have ancestral territory within those lands and are interested in acquiring them, including by prioritizing Tribal purchase or transfer of land.

Statement of Administrative Policy Native American Ancestral Lands - ACTIONS

- ✓ Adopting preferential policies and practices for California Tribes to access natural lands under the ownership or control of the State that are located within a California Tribe's ancestral lands, including coordinating with local governments to zone natural land in excess of State needs in a way conducive to Tribal access and use.

Statement of Administrative Policy Native American Ancestral Lands

Implementation Discussion

OPPORTUNITIES FOR TRIBAL ENGAGEMENT ON THE CVFPP

Tribal Engagement

Pre-Consultation Engagement:

- Two informational meetings conducted
- Meeting materials will be made available

There are opportunities for additional engagements outside of the consultation process.

Tribal Engagement

Consultation:

- April 2021
  - Invitation for Consultation letters will be mailed
  - Request for Consultation from Tribes:
    - AB 52
    - DWR's Tribal Engagement Policy
    - CNRA's Tribal Consultation Policy

Tribal Engagement

AB 52 Consultation:

1. Visit NAHC for formal request letter templates:

http://nahc.ca.gov/2015/06/implementation-of-ab52-sample-letters-request-for-formal-notification-and-request-for-consultation/

Tribal Engagement

AB 52 Consultation:

2. Mail letter request to:

Department of Water Resources

PO Box 942836

Sacramento, CA 94236-0001

Attn: Anecita Agustinez, Tribal Policy Advisor

-Or email to:

Tribalpolicyadvisor@water.ca.gov

Tribal Engagement

Opportunities for Tribal Involvement:

- 2022 CVFPP Update Meetings & Workshops
  (https://water.ca.gov/Programs/Flood-Management/Flood-Planning-and-Studies/Central-Valley-Flood-Protection-Plan)
- CVFPB Meetings & Workshops (cvfpb.ca.gov)
  - March 26, 2021 at 9:00am
- CVFPP Tribal-specific website & listserv (*April 2021*)
- CVFPP Administrative Draft August 2021

Tribal Input

Post-Meeting Survey:

http://bit.ly/TribalPost-Meeting-Survey

Anonymous (with option to provide contact info)

- Will assist DWR & CVFPB in developing future Tribal engagements and the CVFPP planning process.
- Please respond by **March 16th**

THANK YOU!

Other Tribal Opportunities

Central Valley Water Board

The Water Board is beginning the process of soliciting interest from California Native American Tribes in designating Tribal Beneficial Uses.

This designation can help in protecting water quality in support of activities specific to Native American cultures and their uses of California waters.

- **Sacramento-San Joaquin River Watersheds Summit**
  - March 18th, 2021 2pm – 4pm
- **Tulare Lake Basin Summit**
  - March 25th, 2021 4pm – 6pm

Contact: Elizabeth Betancourt
Elizabeth.betancourt@waterboards.ca.gov
(530) 224-4845

CALIFORNIA WATER BOARDS Central Valley - R5

OPEN DISCUSSION

- How can DWR better engage with your Tribe on the CVFPP?
  - *Informational meetings; Public meetings; Other venues?*
- Which components of the 2022 CVFPP would you like to learn more about?
- If your Tribe has updated contact information or a consultation policy that you would like to share with us, please email: tribalpolicyadvisor@water.ca.gov

THANK YOU!

For additional information, please contact:

Anecita Agustinez
DWR Tribal Policy Advisor
tribalpolicyadvisor@water.ca.gov

Lori Price
DWR CVFPP Tribal/CEQA Lead
lori.price@water.ca.gov